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CIA HISTORICAL REVIEW PROGRAM

JFK ACT RELEASE

STANDARD FORM NO. 64 SECRET NO-172-68

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, Domestic Contact Service
Attn.: Operational Support Staff (Musulin)
FROM : Chief, New Orleans Office

DATE: 29 May 1968

SUBJECT: Case 49364 - Garrison Investigation

Attached are the following clippings:

Times-Picayune - 23, 25, 28 and 29 May 68

New Orleans States-Item - 27 and 29 May 68

Lloyd A. Ray

Lloyd A. Ray

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Att.

FILE

SECRET

...June Week at Annapolis, Md.

29 May 1968

Judge Heebe Issues Order to Halt Prosecution of Shaw

Mystified by Decision, Says Assistant DA

District Attorney Jim Garrison's prosecution of 55-year-old businessman Clay L. Shaw on charges of conspiring to murder President John F. Kennedy was halted Tuesday by Federal District Judge Frederick J. R. Heebe.

Judge Heebe issued a temporary restraining order against Garrison and his two principal assistants, James L. Alcock and Charles R. Ward.

The restraining order was sought in a suit filed Monday by Shaw's attorneys in which they also ask that a special three-judge Federal Court be convened and that preliminary and permanent injunctions be issued against further prosecution.

Alcock said he was mystified by the decision, adding that it dampened "my optimism about bringing Shaw to trial."

Referring to the question of jurisdiction, Alcock told newsmen: "This is totaly unprecedented in federal and state relations."

The suit additionally asks that the Warren Commission Report on the assassination of President Kennedy be declared valid and binding on all courts in the nation.

JUDGE'S RULING

Judge Heebe held Tuesday in his restraining order that Shaw's complaint raises "real issues of alleged deprivations of liberty through the actions of the state."

Under federal procedure Judge Heebe will now ask Chief Judge John R. Brown of the United States Fifth Circuit Court of Appeals to designate two other judges to sit with him to hear the Shaw

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Continued from Page 1

suit which complains that if Garrison is not enjoined from prosecuting he will be deprived of his constitutional rights.

The special court will be made up of Judge Heebe, another federal district judge, and a judge of the Fifth Circuit.

Judge Heebe issued the temporary order at 2:10 p. m., after conferring with attorneys for Shaw and members of the district attorney's staff.

REASONS FOR ORDER

In his reasons for issuing the order, Judge Heebe said that the Shaw complaint "read as a whole, presents much more than a recitation of isolated wrongs, but impugns the entire prosecution against the petitioner and attempts to raise the actions of the defendants, prior to and during the criminal proceedings, to the level of a concerted pattern of persecution of the petitioner and the wholesale and willful disregard of the petitioner's constitutional rights."

Judge Heebe said that the thrust of the allegations contained in Shaw's suit against Garrison and his assistants raises serious questions concerning the relationship between the Federal District Court and the Louisiana Criminal District Court "and indeed between federal and state courts across the nation."

He added "whenever a federal court stays the hand of a state official, the delicate balance of comity, so necessary and wholesome for our federal system, is likely to be disturbed."

The judge added that at this stage in the development of the law and possible future developmnts indicated by the United States Supreme Court "we are not prepared to rule out the possibility of a remedy for this plaintiff under the state of facts he presents in his petition."

"And because there is a very real likelihood he may prevail on the merits, and because in view of the plaintiff's allegations of the unconstitutionality of various pertinent Louisiana statutes, a three-judge court is required in this matter in the interest of the state of Louisiana . . ."

The judge asserted that it may not be possible for a federal court hearing to be held before the June 11 date which had been set for the Shaw trial in Criminal District Court and in order to prevent possible irreparable injury to Shaw "we grant the motion for temporary restraining order pending a speedy hearing on the motion for preliminary injunction."

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SMATHERS WINS

Court Order Blocks Shaw Trial in June

Federal District Judge Frederick J. R. Heebe has issued a temporary restraining order, blocking the scheduled June trial of Clay L. Shaw, accused of conspiring to kill President John F. Kennedy.

Shaw had been scheduled to go to trial June 11 before Criminal Court Judge Edward A. Haggerty Jr. on the plot charge which grew out of District Attorney Jim Garrison's assassination probe.

THE ORDER, issued yesterday, restrains Garrison and his staff from prosecuting Shaw pending further orders from the court.

The order was sought in a suit filed Monday by Shaw's attorneys. The suit also asked that preliminary and permanent injunctions against Garrison and his staff be issued.

The suit also asked that the findings of the Warren Commission Report on the Kennedy assassinations be declared valid and admissable as evidence to all courts in the country.

JUDGE HEEBE said Shaw's complaint raises "real issues of alleged deprivations of liberty through the actions of the state."

The complaint, read as a whole, Judge Heebe said, "presents much more than a recitation of isolated wrongs, but impugns the entire prosecution against the petitioner and attempts to raise the actions of the defendants, prior to and during the criminal proceedings, to the level of a concerted pattern of persecution of the petitioner and the wholesale and willful disregard of the petitioner's constitutional rights."

Judge Heebe said that because there is a likelihood that Shaw "may prevail on the merits" and because Shaw's complaint attacks the constitutionality of various "pertinent Louisiana statutes, a three-judge court is required in this matter . . ."

THE JUDGE said it would not be possible for such a court to be convened and a hearing concluded before the scheduled trial date.

Under federal procedure, Judge Heebe will now ask Chief Judge John R. Brown of the U.S. Fifth Circuit Court of Appeals to designate two other judges to sit with him to hear the Shaw suit.

The immediate effect of Judge Heebe's order is that the Shaw trial is delayed indefinitely. The three-judge court, after hearing the suit, could rule in Shaw's favor, preventing a trial at all.

ASSISTANT DA James L. Alcock said he is "mystified" about the decision and said, "This is totally unprecedented in federal and state relations." He added that his "optimism"

-P-P
Garrison 65.

THE TIMES-PI

N.O. Man Asks JFK Files Open

A New Orleans gas station owner has started a petition which he plans to circulate nationally aimed at forcing the federal government to open all files on the assassination of President John F. Kennedy.

He is Baltzer J. Conrad Jr., president of an organization called "We The People Speak."

The petition states, "The American citizens whose names appear below demand that the files on the assassination of the late President John F. Kennedy, which are closed to the American public, be opened immediately and not seventy-one (71) years from now."

Conrad said "We The People Speak" is a nonprofit group "formed for the sake of freedom and justice." He said the aim of the group is to compile a larger petition than ever before attempted.

The address is "We The People," Post Office Box 29426, New Orleans, La., 70129.

examinations, however, by Washington lawyer Jack Wasserman. Collins said any beating Marcello landed was not enough to feel.

Marcello is reported to occupy a high place in the American underworld. He has served only two jail terms, however, the last one in 1938.

Collins testified that the clash with Marcello came after he rushed to the side of a fellow agent, Joseph Avignone, who was assigned to photograph Marcello arriving in New Orleans after testimony before a New York grand jury.

Collins said he came upon Marcello outside the airport terminal after Joseph Marcello, brother of the defendant, started yelling obscenities and asking photographers: "Haven't you got enough pictures . . ."

Collins said he was told by Marcello, "I'm the boss down here, are you looking for some . . . trouble?" Collins said Marcello then made three or four jabs with his left hand and started a roundhouse right that was stopped when Joseph Marcello hit his brother's arm.

Asked by Wasserman if any punches landed, Collins said: "If they did, they were so slight I didn't notice them." Collins said, however, that he was afraid he might get hurt during the encounter.

Wasserman then began a round of questioning in which he asked Collins' sleeve length (33) and asked him to guess at Marcello's, Collins' height (6'1") and asked him to guess Marcello's height and weight.

U. S. Dist. Judge Ben C. Connally intervened to stop the comparisons.

The defense tried to establish that the airport fist swinging did not interfere with the duties of the FBI agents. Collins and Avignone said they were dispatched to the airport to photograph and observe Marcello, his traveling companions and whoever met him at the airport.

Connally, apparently on behalf of the defense, asked the 47-person jury venire if any bore any prejudices against persons of Italian descent.

Entered into evidence was a picture taken during the scuffle by Associated Press photographer Jack R. Thornell. Thornell testified that Marcello removed his left arm toward

then a few miles south of the Azores. It was due in Norfolk, Va., at 1 p.m. Monday from an extended training operation in the Mediterranean.

May 21.

NORMAL PROCEDURE

The Pentagon said it is normal for a submarine making a submerged passage to observe radio silence for extended periods.

Adm. Thomas H. Moorer, chief of naval operations, told newsmen at a hurriedly called news conference that the Scorpion was a few miles south of the Azores at the time of the last communication.

Moorer indicated, however, he feels the submarine would have been nearer the United States at the time it encountered difficulty.

What may have happened to the Scorpion was a mystery.

"The weather out there is very, very bad," Moorer said.

The submarine Shark, dispatched as part of the search, reported surface waves of 15 to 22 feet.

STAYING SUBMERGED

At one point Moorer suggested the Scorpion may have chosen to ride out severe weather by remaining submerged. He also suggested that in bad weather a message informing Norfolk that the Scorpion was being delayed could have been lost.

Moorer acknowledged, however, that the submarine would have attempted to contact shore in event of a delay. If its radio communications had failed, the Scorpion could have sent other signals.

"So far we have not received any" emergency messages, Moorer said in response to questions.

PRIMARY SEARCH ZONE

The primary search zone at this point is the Atlantic area adjacent to Norfolk and extending along a 2,100-mile stretch covering the track the Scorpion would have followed from its last transmission.

The Atlantic ranges to 2,000 fathoms deep in some points along the Scorpion's route home, but she would have had to pass over a mid-ocean ridge only 1,600 fathoms at one point.

Within about 55 miles of Norfolk the Scorpion probably would have begun approaching the surface at the edge of the continental shelf, which is generally around 600 feet deep at its lowest points.

Moorer said that if the sub

Cont. in Sec. 1, Page 2, Col. 2

Attorneys Seeking Order to Halt Shaw Prosecution

Want Warren Report Declared Binding

Lawyers for Clay L. Shaw asked a federal court Monday to decree that the Warren Commission Report on President John F. Kennedy's assassination is "valid and binding" and that prosecution of Shaw be stopped.

The attorneys said Shaw, a 53-year-old businessman, will be deprived of his constitutional rights if Dist. Atty. Jim Garrison is not restrained from prosecuting him on charges of conspiring to murder the President.

In a 47-page petition filed in U.S. District Court here, Shaw's lawyers asked for a temporary restraining order against Garrison and his two top aides, Charles Ray Ward and James L. Alcock.

INJUNCTION SOUGHT

The petition also requested a permanent injunction. If this is to be denied, they asked the court to force Garrison to disclose much of his evidence against Shaw.

Whether the injunction is granted or not, the defense attorneys want the court to rule that the Warren Commission Report is "valid, accurate, binding and controlling upon all courts in the United States."

The report holds there is "no credible evidence" that anyone other than Lee Harvey Oswald had anything to do with the assassination of Kennedy in Dallas, Tex., on Nov. 22, 1963. The Warren Commission said Oswald was the lone assassin.

The report was ruled inadmissible during a preliminary hearing for Shaw in Criminal District Court.

The petition urged that the report be made admissible in and binding on Section C of Criminal District Court. This is the section of Judge Edward A.

Cont. in Sec. 1, Page 2, Col. 1

FRENCH REJECT STRIKE ACCORD

Crisis Continues; Regime to Oppose Marches

By LOUIS NEVIN

PARIS (AP) — Factory workers throughout France shouted down Monday a compromise settlement of their 11-day general strike.

President Charles de Gaulle's government said it would crush any unauthorized marches in the face of apparent determination by workers to press further in demands that lay behind the worst domestic crisis since war times.

The government's warning came after a stock of "murderous weapons" was reported confiscated by police at Lyon. The Interior Ministry said extremists were preparing to use fire bombs, pistols, knives and homemade mines "to make impossible any return to civil peace."

About 50,000 persons, both union members and students, massed into a stadium on the south side of Paris. They heavily applauded a speech calling for "power in the factories turned over to the workers and the power of the universities turned over to the students."

PACT UNDERCUT

A "protocol of agreement," hammered out in 27 hours of negotiations by government, union and management representatives, was largely undercut by the unions' central organizations and by union members in industries over wide areas of the country.

There was a slim possibility that the local union membership would approve portions of the agreement in voting during the next two days. And there were

Cont. in Sec. 1, Page 2, Col. 6

Shaw Lawyers File Petition

Continued from Page 1

Haggerty Jr., who is scheduled to try Shaw.

TRIAL DELAY POSSIBLE

The petition asked that a three-judge federal panel be convened immediately to rule on the temporary restraining order. If granted, the hearing could delay Shaw's trial, which is scheduled for June 11.

The case was allotted to U.S. District Court Judge Frederick J. R. Heebe, who was to confer with the attorneys Monday on the petition.

The main thrust of the petition is that Shaw must seek sanctuary in the federal courts to preserve his constitutional rights. The petition was signed by all four attorneys for Shaw — F. Irvin Dymond, Edward Wegmann, William Wegmann and Salvador Panzeca.

The petition contained 116 points and a prayer for relief.

It contended that the federal court has jurisdiction under several statutes, especially under the U.S. Constitution and amendments 1, 4, 5, 6 and 14.

HARM CLAIMED

The petition asks "sanctuary" to grant relief from "irreparable harm" it claims he has suffered at the hands of Garrison since his arrest on March 1, 1967.

It charged that Shaw was arrested without cause and that his rights under the Fourth and Fifth Amendments were violated by the issuance of a search warrant on his residence.

The petition said his property was seized as a result of the warrant. It contended the warrant was issued after his arrest and without probable cause.

The petition revived a number of questions that were raised earlier in state courts by Shaw's attorneys and rejected by the courts.

These included a motion to quash the preliminary hearing held for Shaw on March 14 and a motion for a bill of particulars "to ascertain the essential facts of the charge against Shaw."

It charged that the three-judge panel conducting this hearing was illegally constituted and that the grand jury which indicted Shaw was illegally chosen.

PRINCIPAL WITNESSES

At the hearing, the petition said, the principal witnesses introduced in support of the charges against Shaw were Perry Raymond Russo, Vernon Bundy Jr., Dr. Esmond Fatter and the late Dr. Nicholas J. Chetta, the Orleans Parish coroner who died Saturday.

The petition said cross examination revealed that Russo gave his testimony after being subjected to hallucinatory drugs and hypnosis, and that Bundy was "a dope addict and confirmed thief."

Russo testified that Shaw conspired with Oswald, David William Ferrie and others to kill the President. Bundy testified that he saw Oswald and Shaw together.

The petition alleged that Shaw's subsequent indictment by the grand jury was returned "solely and only on the hallucinatory drug-induced and hypnotically induced testimony" of Russo.

The defense attorneys said their repeated attempts to get details of the "vague and indefinite" charges against Shaw have failed.

GARRISON ATTACKED

They charged that Garrison has misused the legal processes "to such an extent that the fundamental civil and constitutional rights of all citizens are affected" and that the conduct of his office has "imperiled the civil and constitutional rights of all citizens of this country, including its highest and most esteemed public officials and perhaps even imperil the security of the country itself."

As it did in its unsuccessful bid to have the trial moved outside New Orleans, the defense charged that the DA and his staff have waged a "concerted campaign . . . to convince the public at large that the President was not killed by Lee Harvey Oswald or any other lone assassin, but as a result of a well-planned conspiracy involving many individuals and organizations.

"The number of alleged conspirators and the number of organizations involved in the conspiracy increased with each public utterance . . ."

The petition cites two other cases in which it contends a federal court has given sanctuary to persons who have incurred the "wrath and displeasure" of Garrison. The cases cited were those of Life magazine reporter David L. Chandler and the combined case of television newsmen Walter Sheridan and Richard Townley.

SELECTION PROCEDURE

It attacked the grand jury selection procedure followed by Criminal District Court Judge Bernard J. Bagert, who picked the jury which indicted Shaw. It claimed women and members of other groups were systematically excluded.

On this basis, it asked that the indictment be quashed.

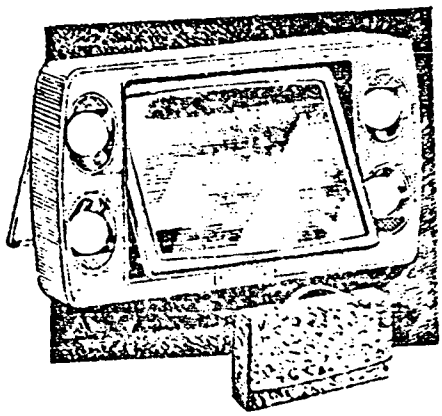
The petition holds that Shaw is entitled to injuctive relief from further prosecution.

Should this be denied, it demanded that Shaw be furnished with a transcript of testimony by all witnesses before the grand jury, copies of all written statements by witnesses questioned by Garrison and his staff, the names of all individuals interviewed and questioned, the names and addresses of all state witnesses and a descriptive list of all physical evidence to be used by the state.

It asked for a transcript of all grand jury testimony by such individuals as Mrs. Marina Oswald, Mrs. Ruth Paine, Dean Andrews, Loren Hall, Kerry Thornley, Mrs. Barbara Reid, Mrs. Josephine Jo Hug "and others not known to your plaintiff."

The petition charged that Judge Haggerty has stated in open court that the Warren Report would not be admissible in evidence if and when offered as such in Shaw's trial.

In the preliminary hearing, the three-judge panel ruled it inadmissible as "hearsay." The panel consisted of Judges Bagert, Matthew S. Braniff and Malcolm V. O'Hara.



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NEW ORLEANS' FINE JEWELERS

AMNESTY PROMISES BRINGS TAX FUNDS

JERUSALEM (AP) — An amnesty that called on Israeli income tax dodgers to cough up and be forgiven has netted about $26 million in back taxes.

BAR TRIAL, SHAW ASKS U.S. COURT

Attorneys for Clay L. Shaw today asked a federal court to decree that the Warren Commission Report on the assassination of President John F. Kennedy is "valid and binding," and asked that further state prosecution of Shaw be barred.

Shaw, 55, is charged with conspiracy to kill the president, and faces trial June 11.

His attorneys contended today he will be deprived of his constitutional rights if District Attorney Jim Garrison is not restrained from prosecuting him.

ON A 67-PAGE petition filed in Federal District Court here, Shaw's lawyers asked for a temporary restraining order against Garrison and his two top aides, Charles Ray Ward and James L. Alcock.

Further, the petition seeks a permanent injunction. If this is denied, they are asking the court to force Garrison to disclose much of his evidence against Shaw.

Whether the injunction is granted or not, the defense attorneys want the federal court to rule the Warren Commission report "valid, accurate, binding and controlling upon all courts in the United States."

THE REPORT, which holds there is "no credible evidence" that anyone other than Lee Harvey Oswald had anything to do with the president's assassination on Nov. 22, 1963, was ruled inadmissible in a preliminary hearing for Shaw in Criminal District Court here.

The petition specifically urged that the report be made admissible in and binding on

Turn to Page 7, Column 1

MONDAY NEW ORLEANS

Shaw Asks Report Be Made Binding

Continued from Front Page

"Section C of Criminal District Court of Orleans Parish." This is the section of Judge Edward A. Haggerty Jr., who is scheduled to try Shaw.

It asks that a three-judge federal panel be convened immediately to rule on the temporary restraining order, could delay the June even imperil the security of the country itself."

THE DEFENSE, as it did in its unsuccessful bid to have the trial moved outside New Orleans, charged that the DA and his staff have waged a "concerted campaign . . . to convince the public at large that the president was not killed by Lee Harvey Oswald or any other lone assassin, but as a result of a well-planned conspiracy involving many individuals and organizations.

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IT ATTACKS the grand jury selection procedure followed by Criminal District Judge Bernard J. Bagert, who picked the jury which indicted Shaw. It claims women and members of other groups were systematically excluded. On this basis, it asks that the indictment be quashed.

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The petition charges that Judge Haggerty has stated in open court that the Warren Report would not be admissible in evidence if and when offered as such in Shaw's trial.

In the preliminary hearing, the three-judge panel of Judges Bagert, Matthew S. Braniff and Malcolm V. O'Hara ruled it inadmissible as "hearsay."

Garrison and Ward. Judge Heebe said he would rule at 1 p. m. tomorrow on whether the temporary restraining order is to be granted.

The main thrust of the petition, signed by all four Shaw attorneys, is that Shaw must seek sanctuary in the federal courts in order to preserve his constitutional rights. The four attorneys are F. Irvin Dymond, Edward Wegmann, William Wegmann and Salvador Panzeca.

The petition contains 116 points and a prayer for relief.

IT CONTENDS that the federal court has jurisdiction under several statutes, especially under the federal Constitution and its amendments 1, 4, 5, 6 and 14.

The petition asks "sanctuary" to grant Shaw relief from "the irreparable harm" it claims he has suffered at the hands of Garrison since his arrest on March 1, 1967.

It charges that Shaw was arrested without cause and that his rights under the Fourth and Fifth amendments were violated by the issuance of a search warrent on his residence. The petition said his property was seized as a result of the warrant, which it contends was issued after his arrest and without probable cause.

THE PETITION revived a number of questions that were raised earlier in state courts by Shaw's attorneys and rejected by the courts.

These included a motion to quash the preliminary hearing held for Shaw on March 14 and a motion for a bill of particulars "to ascertain the essential facts of the charge against Shaw."

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THE PETITION alleges that Shaw's subsequent indictment by the grand jury was returned "solely and only on the hallucinatory drug - induced and hypnotically induced testimony" of Russo.

The defense attorneys said their repeated attempts to get details of the "vague and indefinite" charges against Shaw have failed.

They charged Garrison has misused the legal processes "to such an extent that the fundamental civil and constitutional rights of all citizens are affected" and that the

T-P

X-Rays Subpena to Be Changed

The district attorney's office has taken steps to amend a subpena requiring the United States archivist in Washington, D. C., to produce photos and X-rays of the body of President John F. Kennedy.

Assistant District Attorney James L. Alcock said the change was necessary because the man to whom it had been directed, Dr. Robert H. Bahmer, no longer is archivist.

Alcock said that in accordance with instructions of the U.S. marshal's office, he approved amending the subpena to require the current archivist, Dr. James B. Rhoads, to produce the material in Garrison's office next Friday.

The subpena contended that the information is needed to prepare and present the state's case against Clay L. Shaw, who is charged with conspiring to murder Kennedy.

The district attorney's office claimed to have information that indicated Kennedy was struck by bullets fired from three different directions.

President Lyndon B. Johnson has ordered that all of the material remain sealed in the national archives in Washington until the year 2039 at the request of the Kennedy family.

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GARRISON FILE

JUDGE RESTRAINS SHAW PROSECUTOR

Issues a Temporary Order Barring Action in Case

NEW ORLEANS, May 28 (UPI)—United States District Judge Frederick Heebe issued a temporary restraining order today against District Attorney Jim Garrison, prohibiting "any further prosecution" of Clay L. Shaw.

Mr. Shaw is charged with having conspired to assassinate President Kennedy. The action taken by the judge will probably at least delay Mr. Shaw's trial, scheduled to start June 11.

Judge Heebe indicated he would schedule a "speedy hearing" on the merits of Mr. Shaw's petition.

In a six-page decision explaining his ruling, he said, "There is a very real likelihood that the plaintiff may prevail on the merits."

Attorneys for Mr. Shaw contended yesterday that the Louisiana conspiracy statutes were constitutional, and that Mr. Garrison had conducted a "reign of terror by the misuse and abuse of the powers of the public office . . ."

They called his assassination investigation "illegal, unwarranted, fraudulent and useless."

Judge Heebe said: "The complaint read as a whole presents much more than a recitation of isolated wrongs, but impugns the entire prosecution against the petitioner.

"The thrust of these allegations raises serious questions concerning the relationship between this Federal District Court and the Louisiana Criminal District Court and indeed between Federal and state courts across the nation.

"Whenever a Federal court stays the hand of a state official, the delicate balance of comity so necessary and wholesome for our Federal system is likely to be disturbed."

He said that the seriousness of the charges required Federal intervention.

He indicated that because of the allegations of the unconstitutionality of the conspiracy statutes a "three-judge court is required on this matter."

He did not comment on Mr. Shaw's request that the findings of the Warren commission be made binding on the courts.

The Warren commission concluded that Lee Harvey Oswald acted alone to assassinate Mr. Kennedy Nov. 22, 1963, in Dallas. Mr. Garrison has said that Oswald did not fire a shot.

Mr. Shaw, 55 years old, was arrested March 1, 1967, and later indicted on charges of conspiring with Oswald, David Ferrie, Jack Ruby and "others" to kill Mr. Kennedy.

Jersey Motorcyclist Killed

Special to The New York Times

LEONIA, N. J., May 28—A 21-year-old man riding on a motorcycle that was being towed was killed early today when he was struck by a car on Route 5S. The state police identified the man as Jan O. Brennan of Norwood. The driver of the car that struck the motorcycle was Peter Diforio, 59, of Edgewater, the police said.

WASH POST 5/29/68

Court Stays Clay Shaw's Prosecution

NEW ORLEANS, May 28 (UPI)—A U.S. district judge today granted a temporary restraining order against district attorney Jim Garrison, prohibiting "any further prosecution" of Clay L. Shaw.

Shaw is charged with conspiring to assassinate President John F. Kennedy, and the action taken by Judge Frederick Heebe probably will at least delay Shaw's trial, scheduled to start June 11.

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They called Garrison's assassination investigation "illegal, unwarranted, fraudulent and useless."

"The complaint read as a whole presents much more than a recitation of isolated wrongs, but impugns the entire prosecution against the petitioner," Heebe said.

"The thrust of these allegations raises serious questions concerning the relationship between this Federal district Court and the Louisiana Criminal District Court and indeed between Federal and State courts across the Nation," the judge added.

"Whenever a Federal court stays the hand of a State official, the delicate balance of comity so necessary and wholesome for our Federal system is likely to be disturbed," he said.